

HOUSE BILL 714
By Hood

AN ACT to amend Tennessee Code Annotated, Section 5-8-102, relative to motor vehicle privilege taxes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 5-8-102(c), is amended by deleting such subsection in its entirety and substituting instead the following:

(c) The county legislative body shall choose one (1) of the two (2) following options for authorizing such motor vehicle privilege tax:

(1) The county legislative body shall authorize such tax by adopting a resolution by majority vote of the members who are entitled to vote at two (2) consecutive regularly scheduled meetings of the county legislative body; or

(2)

(A) The county legislative body shall direct the county election commission to call an election to be held in a regular election or in a special election for the purpose of approving or rejecting such tax levy.

(B) The ballots used in such election shall have printed on them the substance of such resolution and the voters shall vote for or against its approval.

(C) The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified by them to the local governing body.

(D) The qualifications of voters voting on the question shall be the same as those required for participation in general elections.

(E) All laws applicable to general elections shall apply to the determination of the approval or rejection of this tax levy.

SECTION 2. Tennessee Code Annotated, Section 5-8-102, is amended by adding the following new subsection:

(e) After July 1, 2005, the general assembly may not impose a motor vehicle privilege tax by private act, and this section shall be the sole authority under the general law for a county legislative body to impose a local motor vehicle privilege tax. Provided, nothing in this section shall affect a previously enacted motor vehicle privilege tax that has been established by private act. Provided, further, the only way to increase or decrease the rate of such tax previously established by private act shall be as established in subsection (c).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.